

SPECIAL MEETING

July 22, 2002

The Special Meeting of the Annapolis City Council was held on July 22, 2002 in the Council Chamber. Mayor Moyer called the meeting to order at 7:03 p.m.

Present on Roll Call: Mayor Moyer, Aldermen Hammond, Tolliver, Hoyle, Kelley, Carter, Fox, Cohen

Alderman Cordle was absent.

Staff Present: City Attorney Goetzke, Public Works Director Smith

PUBLIC HEARINGS

O-19-02 For the purpose of repealing in its entirety and adding new Annapolis City Code Chapter 14.12, Trees, so as to define the duties of the environmental commission, the department of public works and the director of public works with regard to trees in the City of Annapolis; to provide regulations concerning the removal and maintenance of trees in public areas and in the conservation areas; to provide for the creation and enforcement of a master street tree plan and a tree planting program; to provide for the abatement of certain nuisances; and matters generally relating to said chapter.

Spoke on the ordinance:

- Sager A. Williams, Jr., counsel for Baltimore Gas & Electric, Blumenthal, Delavan & Williams, 170 Jennings Road, Annapolis, MD 21401
- Bonnie Johansen, Public Affairs Representative, Baltimore Gas & Electric, 47 State Circle, Annapolis, MD 21401
- William Rees, Baltimore Gas & Electric, 815 Fairway Avenue, Catonsville, MD 21228
- Louise Meyers Beauregard, P. O. Box 604, Annapolis, MD 21404

Spoke in favor of the ordinance:

- Rob Haberlein, 2 Fisk Circle, Annapolis, MD 21401
- Jim Martin, 29 Bristol Dr., Annapolis, MD 21401
- Suzanne Pogell, 137 Conduit Street, Annapolis, MD 21401
- Richard Cooksey, 34 Murray Avenue, Annapolis, MD 21401
- Anne Pearson, 2041 Shore Drive, Edgewater, MD 21037

Spoke in opposition to the ordinance:

- Sandra Patty, 31 East Street, Annapolis, MD 21401

No one else from the general public spoke in favor of or in opposition to the ordinance.

Mayor Moyer declared the public hearing closed.

O-21-02 For the purpose of conveying, by deed, whatever rights, title and interest the City has in a certain portion of a street known as Archwood Avenue in the City of Annapolis, to an adjacent property owner whose property is 115 Archwood Avenue which is contiguous to said parcel of ground; providing for the property to be sold at private sale; providing for the conveyance of a certain right-of-way easement for storm water drainage to the City; and all matters relating to said deed.

No one from the general public spoke in favor of or in opposition to the ordinance.

Mayor Moyer declared the public hearing closed.

O-22-02 For the purpose of supporting the performing arts; providing that monies may be awarded from the Arts Fund, currently known as the Arts in Public Places Fund, to performing artists and groups which promote or practice performing arts; and matters generally relating to said performing arts.

Spoke on the ordinance:

- Louise Meyers Beauregard, P. O. Box 604, Annapolis, MD 21404

Spoke in favor of the ordinance:

- Linnell Bowen, representing Maryland Hall for the Creative Arts, 801 Chase Street, Annapolis, MD 21401
- Henry Holth, representing Ballet Theatre of MD, 801 Chase Street, Annapolis, MD 21401

No one else from the general public spoke in favor of or in opposition to the ordinance.

Mayor Moyer declared the public hearing closed.

O-23-02 For the purpose of authorizing a sewer agreement providing for the extension of City sewer services to certain property located in Anne Arundel County, outside of the boundaries of the City of Annapolis; and matters generally relating to said Sewer Agreement.

Planning Commission Chair Scott, 308 Carriage Run Road, Annapolis, Maryland 21403, gave a brief presentation in favor of the 40 and 42 Hudson Street annexation and answered questions from Council.

Jonathan Hodgson, Esq., Hyatt, Peters and Weber, 1919 West Street, Annapolis, Maryland 21401, representing the Hudson Street annexation applicants, answered questions from Council.

Public Works Director Smith was present and answered questions from Council.

Spoke on the ordinance:

- Louise Meyers Beauregard, P. O. Box 604, Annapolis, MD 21404

No one else from the general public spoke in favor of or in opposition to the ordinance.

Mayor Moyer declared the public hearing closed.

LEGISLATIVE ACTION

ORDINANCES

O-23-02 For the purpose of authorizing a sewer agreement providing for the extension of City sewer services to certain property located in Anne Arundel County, outside of the boundaries of the City of Annapolis; and matters generally relating to said Sewer Agreement.

Alderman Fox moved to adopt O-23-02 on second reading. Seconded.

C Alderman Tolliver moved to amend Water and Sewer Service Agreement as follows:

No. 1

On Page 2, following “3. ABPC shall obtain...”

add, “before water and sewer services are provided hereunder”;

Seconded. CARRIED on voice vote.

C Alderman Tolliver moved to amend Water and Sewer Service Agreement as follows:

No. 2

On Page 4, following “10. For any calendar quarter (or any portion thereof) in which the Property remains unannexed, the City shall charge and ABPC shall pay on a per unit basis”

strike “the same”; and,

add “twice the”

Seconded. CARRIED on voice vote.

C Alderman Tolliver moved to amend Water and Sewer Service Agreement as follows:

No. 3

On Page 3, following “6. ABCP agrees to pay...”

add, “before water and sewer services are provided hereunder”;

Seconded. CARRIED on voice vote.

C Alderman Tolliver moved to amend Water and Sewer Service Agreement as follows:

No. 4

On Page 3, following “6. ...charged by the City.”

strike, “Before annexation has been completed, t”;

Seconded. CARRIED on voice vote.

C Alderman Tolliver moved to amend Water and Sewer Service Agreement as follows:

No. 5

On Page 4, following “ 10... for customers

strike, “outside”

Seconded. CARRIED on voice vote.

Alderman Hoyle moved to adopt amended Water and Sewer Service Agreement.
Seconded. CARRIED on voice vote.

Without objection, the main motion and Water and Sewer Service Agreement Amended
CARRIED on voice vote.

Alderman Hoyle moved to adopt O-23-02 with Water and Sewer Service Agreement
Amended on third reading. Seconded. CARRIED on voice vote.

O-26-02 For the purpose of adding banks with a maximum floor area of 3200 square feet and a drive-thru window to the B1 Convenience Shopping District, as a special exception; specifying that banks with a maximum floor area of 3200 square feet and a drive-thru window are not allowed in the B1A Expanded Convenience Shopping District; and matters generally relating to said special exceptions.

Alderman Cohen moved to adopt O-26-02 on first reading. Seconded. CARRIED on voice vote.

Referred to Rules and City Government Committee and the Planning Commission

O-27-02 For the purpose of increasing residential opportunities in the business corridor enhancement district; better articulating positive residential design guidelines along such corridors; increasing the permitted uses in the BCE district; requiring that specific uses comply with certain standards; allowing the director of planning and zoning to modify the site access criteria for sites developed in the BCE district based on certain factors; and matters generally relating to said district.

Alderman Hoyle moved to adopt O-27-02 on first reading. Seconded. CARRIED on voice vote.

Referred to Rules and City Government Committee and the Planning Commission

RESOLUTIONS

R-24-02 For the purpose of approving the application and receipt of financing for Community Legacy Projects in the Clay Street Community in Annapolis, Maryland to be financed either directly by the Department of Housing and Community Development (the "Department") of the State of Maryland or through other departments or agencies of the State of Maryland.

Alderman Tolliver moved to adopt R-24-02 on first reading. Seconded. CARRIED on voice vote.

Alderman Tolliver moved to suspend the rules to allow passage of the resolution at the meeting of its introduction. Seconded. CARRIED on voice vote.

Alderman Tolliver moved to adopt R-24-02 on second reading. Seconded. CARRIED on voice vote.

BUSINESS AND MISCELLANEOUS

■ Appointments

Alderman Hammond moved to approve the Mayor's (re)appointments of the following individuals:

7/17/02 Annapolis Environmental Commission Corinne S. Reed-Miller
7/17/02 Recreation Advisory Board Donna Reeder McDonald Jefferson
7/17/02 Recreation Advisory Board Gavin Buckley

Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 9:20 p.m.

Deborah Heinbuch, CMC/AAE
City Clerk